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Excelsior College Examination
Content Guide for
Labor Relations

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Important information to help you prepare for this Excelsior College Examination

General Description of the Examination

The Excelsior College Examination in Labor Relations measures knowledge and understanding of material typically taught in a one-semester survey course usually taken in the junior or senior year of a business, industrial relations, or economics program. Examination content is drawn from that commonly included in courses with such titles as Labor Relations, Labor-Management Relations, Industrial and Labor Relations, or Collective Bargaining. The examination tests for a knowledge of facts and terminology, an understanding of basic concepts, and the ability to apply this knowledge and understanding.

The Labor Relations examination is one of three examinations in management of human resources offered by Excelsior College. The other two examinations in this area are Organizational Behavior and Human Resource Management. A small number of individual topics may appear in more than one of the examinations. Treatment of any overlapping topics will differ in emphasis, detail, and depth, as defined and specified in the individual content outlines.

■ Uses for the Examination

Excelsior College, the test developer, recommends granting three (3) semester hours of lower-level undergraduate credit to students who receive a letter grade of C or higher on this examination. This recommendation is endorsed by the American Council on Education. Other colleges and universities also recognize this exam as a basis for granting credit or advanced standing. Individual institutions set their own policies for the amount of credit awarded and the minimum acceptable score. Before taking the exam, you should check with the institution from which you wish to receive credit to determine whether credit will be granted and/or to find out the minimum grade required for credit.

The Labor Relations examination fulfills the requirement in labor relations for Excelsior College students enrolled in the Bachelor of Science degree in Management of Human Resources. The examination also fulfills the requirement in labor relations for nursing students pursuing a minor in Management of Human Resources. The examination may also be used as a business elective by Excelsior College students enrolled in the Bachelor of Science degree in general business or the Associate of Science degree in business, or as a free elective for all other Excelsior College degree programs that allow for free electives.

■ Examination Length and Scoring

The examination consists of approximately 120 four-option multiple-choice questions, some of which are unscored, pretest questions. You will have three (3) hours to complete the examination. Since you will not be able to tell which questions are being pretested, you should do your best on all of them. Scores are based on ability level as defined in the item response theory (IRT) method of exam development, rather than simply on your total number of correct answers. Your score will be reported as a letter grade.

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The examination is administered by computer at Prometric Testing Centers®* throughout the United States and in Canada, American Samoa, Guam, Puerto Rico, Saipan

(Northern Mariana Islands), and the Virgin Islands. The examination is also administered at approved international testing centers. To receive information concerning testing dates, locations, and fees, contact Excelsior College.

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The **Excelsior College Bookstore** stocks the current editions of recommended textbooks for *all* examinations. In some cases, current editions will be more recent than those listed in this content guide. The Bookstore also offers resources in areas such as study strategies, personal planning, and stress reduction.

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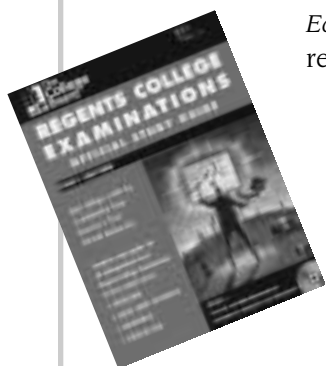
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Content Outline

The major content areas on the examination and the percent of the examination devoted to each content area are listed below.

CONTENT AREA	PERCENT OF THE EXAMINATION
I. Labor Relations in the United States	15%
II. American Labor Law	20%
III. The Organizing Process	15%
IV. Collective Bargaining	25%
V. Contract Administration	15%
VI. Miscellaneous Topics	10%
Total	100%

I. Labor Relations in the United States (15%)

A. The industrial relations system

1. Industrial relations actors
2. Attitudes towards unions
 - a. Social factors
 - b. Political factors
3. Trends
 - a. Rate of unionization over time
 - b. Service vs. manufacturing
 - c. Public vs. private
 - d. Geographic differences
 - e. The internationalization of American business

B. Labor History

1. Early union activity
 - a. Conspiracy doctrine
 - b. Use of the injunction (anti-trust)
 - c. Boycott legislation
 - d. Yellow-dog contracts
2. Emergence of national unions
 - a. Knights of Labor
 - b. American Federation of Labor (AFL)
 - c. Radical unionism/Industrial Workers of the World (IWW)

3. Emergence of industrial unions
 - a. Congress of Industrial Organizations (CIO)
 - b. United Mine Workers, United Auto Workers, United Steel Workers, etc.
4. Consolidation of unions
 - a. Merger of the AFL and the CIO
 - b. Merger of international/national unions

C. Union structure and organization

1. Hierarchy
 - a. Local unions
 - b. National and international unions
 - c. AFL-CIO
2. Union
 - a. Governance
 - 1) Member participation
 - 2) Leadership selection
 - b. Functions
 - 1) Organizing
 - 2) Collective bargaining
 - 3) Contract administration
 - 4) Political activity
 - c. Finances
 - 1) Dues
 - 2) Strike funds
 - 3) Political action

II. American Labor Law (20%)

A. Early labor law

1. Railway Labor Act
 - a. Historical perspective
 - b. Employee groups covered
 - c. Dispute settlement mechanisms
2. Norris-LaGuardia Act
 - a. Historical perspective
 - b. Employee groups covered
 - c. Injunction and the right to strike

B. The National Labor Relations Act as amended

1. Historical perspective
 - a. Wagner Act
 - b. Taft-Hartley Act
2. Status of current law
 - a. Administration
 - 1) NLRB (judgment)
 - 2) Office of the General Counsel (prosecution)
 - b. Rights of employees (Section 7)
 - c. Resolving questions concerning representation
 - 1) Organizing rules
 - 2) Determining the appropriate bargaining unit
 - (a) Community of interest
 - (b) Treatment of supervisors and professionals
 - 3) Election rules
 - 4) Election certification
 - d. Unfair labor practices (Section 8)
 - 1) Employer
 - (a) Discrimination
 - (b) Coercion of employees
 - (c) Domination of the union
 - (d) Bargaining in good faith
 - 2) Union
 - (a) Discrimination
 - (b) Coercion of employees
 - (c) Coercion of employers
 - (d) Bargaining in good faith
 - (e) Hot cargo

- e. Union security provisions and right-to-work laws
 - 1) Union shop
 - 2) Agency shop
 - 3) Closed shop
 - 4) Right-to-work laws

C. Public-sector labor law

1. Federal employees
 - a. Historical perspective
 - b. Civil Service Reform Act of 1978
 - 1) Administration
 - 2) Impasse procedures
2. State and local government employees
 - a. Historical perspective
 - b. Key differences in state laws
 - 1) Employees covered
 - 2) Impasse procedures
 - 3) Right to strike

D. Other laws affecting labor relations

1. Landrum-Griffin Act (Labor-Management Reporting and Disclosure Act [LMRDA])
 - a. Historical perspective
 - b. Coverage
 - c. Major provisions
 - 1) "Bill of rights" for union members
 - 2) Reporting requirements (for example: financial disclosure)
 - 3) Election of union officers
 - 4) Fiduciary responsibility
2. Discrimination laws (for example: Title VII of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990 [ADA])
3. Occupational Safety and Health Act (OSHA)
4. Employee Retirement Income Security Act (ERISA)

III. The Organizing Process (15%)

(See also content area IIB2)

- A. How organizing begins
- B. The employee decision to join a union
- C. Determining the appropriate bargaining unit
- D. Organizing campaign
 - 1. Union rights and strategies
 - 2. Employer rights and strategies
- E. The election process
 - 1. Authorization cards
 - 2. Certification/decertification

IV. Collective Bargaining (25%)

- A. Factors affecting the bargaining process
 - 1. Economic and market considerations
 - 2. Industry characteristics
 - 3. Employer interests
 - 4. Union interests
 - 5. Employee interests
 - 6. Political environment
 - a. Public sector
 - b. Private sector
- B. The bargaining process
 - 1. Legal definition of collective bargaining (Section 8)
 - 2. Duty to bargain
 - a. Good faith requirement
 - b. Issues (for example: mandatory, permissive or voluntary, illegal)

C. Bargaining structures

- 1. Centralized, decentralized
- 2. Single-employer, multi-employer
- 3. Pattern

D. Management and union preparation for bargaining

- 1. Selecting a negotiating team
- 2. Conducting research for bargaining
- 3. Preparing demands
- 4. Developing bargaining positions
- 5. Developing a settlement range
- 6. Costing an agreement

E. Conducting bargaining

- 1. Analyzing power relationships (for example: bargaining power)
- 2. Distributive vs. integrative bargaining (for example: win-win bargaining, collaborative)
- 3. Intraorganizational bargaining and attitudinal structuring
- 4. Tactics
- 5. Ratifying an agreement

F. Bargaining issues

- 1. Wages
 - a. Factors affecting wage determination
 - b. Theories of wage determination
 - c. Alternative pay systems (for example: incentives)
- 2. Benefits (for example: health insurance, pension plans)
- 3. Noneconomic issues
 - a. Management rights (for example: subcontracting, work transfer, discipline and discharge)
 - b. Union rights (for example: union security, seniority, grievance procedure, successorship)

G. Impasse strategies and processes

1. Concerted activities
 - a. Strikes and lockouts
 - 1) Unfair labor practice strikes
 - 2) Economic strikes
 - 3) Wildcat strikes
 - b. Boycotts and picketing
 - c. Trends
 - d. Alternatives to strikes
2. Private sector
 - a. Mediation
 - b. Strike/lockout
3. Public sector
 - a. Limitations on the right to strike
 - b. Mediation
 - c. Fact-finding
 - d. Interest arbitration

H. Impact of collective bargaining

1. On organizational performance
 - a. Wage effects
 - b. Non-wage effects
2. On society
 - a. Economic effects
 - b. Non-wage effects

V. Contract Administration (15%)

A. Issues in contract administration (for example: seniority, work rules, discipline and discharge, management rights, past practices)

B. Grievances

1. Definition of grievances
2. Reasons for grievances
 - a. Contract interpretation (for example: seniority, work rules)
 - b. Discipline and discharge
3. Grievance procedure
 - a. Purpose
 - b. Duty of fair representation
 - c. Steps

C. Rights arbitration (grievance arbitration)

1. The legal status of arbitration
 - a. *Lincoln Mills* Supreme Court decision
 - b. Steelworkers' Trilogy Supreme Court decisions
 - c. NLRB deferral policy (*Collyer* case)
 - d. Recent decisions
2. Source and selection of arbitrators
 - a. Federal Mediation and Conciliation Service (FMCS)
 - b. American Arbitration Association (AAA)
 - c. Other (for example: state agencies, permanent arbitrators)
3. Arbitration procedures
 - a. Preparation
 - b. Hearing
4. Arbitrator decision-making criteria

VI. Miscellaneous Topics (10%)

A. Industrial relations systems abroad

B. Union-management cooperation

1. Employee involvement and participation
2. Quality of Work Life programs
3. Labor-management committees (*Electromation* decision)
4. Productivity bargaining
5. Trends in union-management cooperation

C. Employee relations in nonunion organizations

1. Application of labor law
2. Union avoidance strategies
3. Employee involvement (voice) systems

D. Challenges to collective bargaining

1. Future climate of labor relations
2. Impact of global economy

Sample Questions

The questions that follow illustrate those typically found on this examination. These sample questions are included to familiarize you with the type of questions you will find on the examination. The answers can be found on the inside back cover of this guide.

1. In recent years, which type of union has been particularly effective in political action at the state and local levels?
 - 1) industrial
 - 2) craft
 - 3) public sector
 - 4) private sector
2. Which union federation suffered government repression because of its anti-war stance during World War I?
 - 1) American Federation of Labor (AFL)
 - 2) Congress of Industrial Organizations (CIO)
 - 3) Knights of Labor (KOL)
 - 4) Industrial Workers of the World (IWW)
3. What is the most common governance process used by local unions?
 - 1) autocratic
 - 2) bureaucratic
 - 3) democratic
 - 4) theocratic
4. For which reason may strike benefits be withheld?
Failure to
 - 1) attend 50 percent of the local meetings
 - 2) vote for the union
 - 3) support union leadership
 - 4) participate in strike activities
5. Which act first prohibited unfair labor practices by unions?
 - 1) Norris-LaGuardia Act
 - 2) Taft-Hartley Act
 - 3) Wagner Act
 - 4) Clayton Act
6. What legal principle is established under right-to-work laws?
 - 1) Union membership as a condition of continued employment is prohibited.
 - 2) Contract clauses requiring union membership as a precondition to employment are permitted.
 - 3) An employee may decline union membership, but still must pay dues and fees.
 - 4) An employee has a right to work, even if the union strikes.
7. Which employer action is a clear violation of Section 8(a) of the National Labor Relations Act?
 - 1) providing financial assistance to a union to help with union administrative costs
 - 2) urging assembled employees to vote against union representation
 - 3) speaking to individual employees about the advantages of not joining a union
 - 4) refusing to grant a cost-of-living pay raise demanded by a union
8. The National Labor Relations Board (NLRB) determines that a company refused to bargain in good faith. What is a possible remedy?
 - 1) An arbitrator makes a binding decision on the contract.
 - 2) The NLRB makes a binding decision on the contract.
 - 3) The NLRB issues a cease-and-desist order.
 - 4) At the NLRB's request, the courts determine an appropriate remedy.
9. Which act established criteria to resolve questions involving the right of federal employee unions to consultation and exclusive recognition?
 - 1) National Labor Relations Act
 - 2) Civil Service Reform Act
 - 3) Taft-Hartley Act
 - 4) Landrum-Griffin Act

10. When engaged in concerted activity, which category of employees is not protected by the National Labor Relations Act?
- 1) professional employees
 - 2) plant guards
 - 3) major-league baseball players
 - 4) supervisory employees
11. Which factor is used by the National Labor Relations Board to determine the appropriate bargaining unit?
- 1) market constraints
 - 2) jurisdiction of the union
 - 3) the number of employees
 - 4) community of interests
12. During an economic strike, strikers are replaced by permanent employees. A decertification election is held within 12 months of the strike. What is the voting status of the strikers as determined by the National Labor Relations Board (NLRB)?
- The NLRB
- 1) allows strikers to vote.
 - 2) does not allow strikers to vote.
 - 3) decides on a case-by-case basis.
 - 4) petitions the courts for a ruling.
13. Which process begins with an authorization card campaign and ends with the National Labor Relations Board's certification of the representation election?
- 1) contract settlement
 - 2) union organizing
 - 3) a corporate campaign
 - 4) good faith bargaining
14. Under which set of conditions is management most strongly motivated to continue negotiations and settle a contract without a strike?
- 1) Product demand is low, replacement workers are scarce, and substitute goods are available to customers.
 - 2) Product demand is low, replacement workers are available, and substitute goods are available to customers.
 - 3) Product demand is high, replacement workers are scarce, and substitute goods are available to customers.
 - 4) Product demand is high, replacement workers are available, and substitute goods are not available to customers.
15. Which issue is most likely to be the subject of integrative bargaining?
- 1) wage rates
 - 2) alcoholism treatment program
 - 3) amount of vacation
 - 4) overtime pay rate
16. Which approach to collective bargaining is likely to be the most adversarial?
- 1) distributive bargaining
 - 2) integrative bargaining
 - 3) intraorganizational bargaining
 - 4) mandatory bargaining
17. Which security clause is preferred by a labor organization?
- 1) agency shop
 - 2) union shop
 - 3) open shop
 - 4) maintenance of membership

18. Which union security agreement requires any bargaining unit employee who is not a union member to pay a service fee to the union for its representation activities?

- 1) closed shop
- 2) maintenance of membership
- 3) open shop
- 4) agency shop

19. A union strikes a company. No unfair labor practices are filed. During the strike, the company hires permanent replacements for many of the company jobs. What are the rights of the striking employees when a settlement is reached?

Striking employees

- 1) are placed in their old jobs; replacement workers are put on a preferential hiring list.
- 2) are put on a preferential hiring list; replacement workers keep their new jobs.
- 3) have their job status determined by the U.S. Department of Labor.
- 4) have their job status determined by the company based on job qualifications.

20. What is typically used to define a grievance under a collective bargaining agreement?

- 1) violation of the terms of the contract
- 2) violation of labor law
- 3) any complaint at the workplace
- 4) violation of past practice

21. What is a union's duty of fair representation when a nonunion member of the bargaining unit files a grievance?

The union is required to

- 1) take the grievance to arbitration.
- 2) present the grievance without taking a position.
- 3) effectively use the grievance procedure at the union's expense.
- 4) effectively use the grievance procedure at the grievant's expense.

22. Who has the burden of proof in a discharge arbitration hearing?

- 1) arbitrator
- 2) employee
- 3) employer
- 4) union

23. Which similarity exists between New United Motor Manufacturing, Inc. (NUMMI) and Saturn (General Motors) in their joint ventures with the United Automobile Workers (UAW)?

- 1) A large percentage of the workforce had never worked in a unionized environment.
- 2) A large percentage of the workforce was initially laid off.
- 3) The allocation of resources to employee training was increased.
- 4) The number of production job classifications was increased.

24. In unionized settings, which is an appropriate activity of joint labor-management committees?

- 1) discussing noncontractual problems
- 2) processing grievances
- 3) setting wages
- 4) disciplining employees

Learning Resources for this Exam

The study materials listed below are recommended by Excelsior College as the most appropriate resources to help you study for the examination. For information on ordering from the Excelsior College Bookstore, see p. 2. You may also find resource materials in college libraries. Public libraries may have some of the textbooks or may be able to obtain them through an interlibrary loan program.

You should allow sufficient time to obtain resources and to study before taking the exam.

Recommended Resources

Textbooks

The Holley and Jennings textbook listed below provides very good coverage of the topics on the content outline. It is essential that you study from the recommended textbook rather than just rely on practical experience in labor relations. Bear in mind that your study of the textbook should include the exhibits and “Labor Relations in Action” features, both of which are interspersed throughout the text. In addition, the text has a companion study guide. You may find it helpful to purchase the study guide for additional review of the material covered in the text. The study guide contains key terms and approximately 20 multiple-choice questions for each of the 16 chapters in the text. The fill-in-the-blank chapter summaries may not be as useful to you.

As you use the recommended textbook to study for this examination, you may find that you need additional information or clarification in specific content areas. The examination development committee recommends that you use the other textbooks listed to supplement your understanding or provide clarification of topics on the content outline. You may be able to locate the other textbooks through a library.

Holley, W.H., & Jennings, K.M. (1997). *The labor relations process* (6th ed.). Fort Worth, TX: Dryden.

Additional Resources

Deshpande, S.P. (1994). *Study mate to accompany The labor relations process, Fifth edition*. Fort Worth, TX: Dryden.

Fossum, J.A. (1995). *Labor relations* (6th ed.). Homewood, IL: Richard D. Irwin.

Kahn, L.G. (1994). *The primer of labor relations* (25th ed.). Washington, DC: BNA.

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Notes

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Key To Sample Questions

Question	Key	Content Area ¹	Question	Key	Content Area ¹
1	3	IA3	13	2	IIIE1
2	4	IB2	14	3	IVD
3	3	IC2	15	2	IVE2
4	4	IC2	16	1	IVE2
5	2	IIB1	17	2	IVF3
6	1	IIB2	18	4	IVF3
7	1	IIB2	19	2	IVG1
8	3	IIB2	20	1	VB1
9	2	IIC1	21	3	VB3
10	4	IIIC	22	3	VC3
11	4	IIIC	23	3	VIB1
12	1	IIIE	24	1	VIB3

¹Content Area refers to the location of the question topic in the content outline.

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Examination	Credit Hrs.	Examination	Credit Hrs.
Arts and Sciences		Nursing: Associate Level	
Abnormal Psychology†	3*	Differences in Nursing Care: Area A (modified)①.	4
American Dream†	6*	Differences in Nursing Care: Area B①.	5
Anatomy & Physiology†	6	Differences in Nursing Care: Area C②.	5
English Composition†.	6	Fundamentals of Nursing**	8
Ethics: Theory & Practice†	3*	Maternal & Child Nursing (associate)**	6
Foundations of Gerontology	3*	Maternity Nursing**	3
History of Nazi Germany†.	3*	Nursing Concepts 1.	4
Life Span Developmental Psychology†	3	Nursing Concepts 2.	4
Microbiology†.	3	Nursing Concepts 3.	4
Organizational Behavior	3*	Occupational Strategies in Nursing②	3
Pathophysiology	3*		
Psychology of Adulthood & Aging	3*	Nursing: Baccalaureate Level	
Religions of the World†.	3*	Adult Nursing**	8*
Research Methods in Psychology†	3*	Health Restoration: Area I.	4*
Statistics†	3	Health Restoration: Area II	4*
World Population†	3*	Health Support A: Health Promotion & Health Protection	4*
Business		Health Support B: Community Health Nursing.	4*
Business Policy & Strategy	3△	Maternal & Child Nursing (baccalaureate)**	8*
Ethics: Theory & Practice	3*	Professional Strategies in Nursing	4*
Human Resource Management.	3*	Psychiatric/Mental Health Nursing**	8*
Labor Relations.	3*	Research in Nursing†	3*
Organizational Behavior	3*		
Production/Operations Management.	3△		
Education			
Reading Instruction in the Elementary School	6*		

* Indicates upper-level college credit. **These examinations do not apply toward the Excelsior College Nursing Degrees.
† Guided Learning Packages are available for these exams. △ Indicates lower-level college credit for Business Program,
upper-level for Liberal Arts Program. ① Administered through Sept. 30, 2001. ② Administered through Sept. 30, 2002.

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